

IN REPLY
REFER TO:

United States Department of the Interior

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BRANCH OF ENVIRONMENTAL QUALITY SERVICES

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TO: Alisa Wong (WTR-9)FAX NUMBER: 1-415-744-1873ORGANIZATION: EPA Ground Water ProtectionFROM: John Krause

DESCRIPTION AND/OR MESSAGE:

I am pursuing the negotiated acquisition for the implementation
of the Work Plan. Enclosed is a sample form. Please
look it over. Any comments as far as content and sequencing
of elements would be appreciated. Also, attached is a Flow chart.
Also, I hope the process is not as cumbersome as what the flow chart
seems to indicate at first glance.

NUMBER OF PAGES: 5 (W/COVER SHEET)DATE SENT: 3-13-97

3/24/97

Negotiated bidding will not be used
due to the extensive length of time it would
take to select a contractor. The project
will be given out by low bid process.

Do first

EVALUATION CRITERIA AND WEIGHT FACTORS FOR A & E DESIGN SERVICES

PART I. PROJECT TEAM KEY PERSONNEL: This category will be used to evaluate the A & E's proposed key personnel with respect to their qualifications, individual experience, and past experience as team members on similar projects. 30

WEIGHTA. Professional Background Experience member. 211. Educational Background and professional registration. 62. Professional Qualifications necessary for satisfactory performance of required services. 63. Specialized Experience and technical competence. 54. Past performance on contracts with government agencies and private industry in terms of cost control, quality of work, and compliance with performance schedules. 4B. Team makeup and interrelationship of technical, management, and production disciplines to meet the program needs. 91. Past experience and qualifications, including specialized technical skills, project coordination, and management skills, and experience in working together as a team. 52. Rationale for the selection of each member who makes up the team. 4

PART II. ORGANIZATION AND MANAGEMENT: This category will be used to evaluate the A & E's proposed plan for execution of the required design/project inspection and production of reports of the basis of team organization and management, and control procedures to accomplish this project. 25

A. Overall organization in terms of its potential for efficient operation on, and responsiveness to, the needs of this project. 151. Firm's overall organization adaptability for inspection and technical reporting. 22. Degree to which the current staffing of the firm and proposed consultant firms will be capable of undertaking this project, in terms of required expertise, facilities size, and available manpower. 33. The volume and nature of present workload of the firm and its consultants to determine their capability of undertaking this project and the priority it will likely receive in relation to their other work. 2

-2-

4. The proposed level of direct involvement in this project by the prime firm(s) in comparison with the level considered appropriate to maintain control of this project. 3
5. Firm's proposed method of contract administration. 1
6. The firm's direct involvement in this project of personnel who make up the ownership level of the firm(s) in comparison with that which would be appropriate. 3
7. Knowledge of the general geographical area of the projects. 1
- B. The proposed project team organization and procedures for planning the execution and control of the project. 10
1. Proposed means of gathering necessary background information on each project, assimilation and analysis of this information, and translation of this information through a structured planning process into a program for incremental accomplishment of required new construction and major alternation/repair and improvement work. 5
2. Proposed method for maintaining project's schedule. 3
3. Proposed method for maintaining project's scope and budget. 2
- PART III. TECHNICAL ABILITY: This category will be used to evaluate the A & E's capacity and potential for product excellence, including innovations, recognition of alternative solutions, and perception of special opportunities. 15
- A. Demonstrated awareness of design problems in new construction and major alternation/repair and improvement work. 8
- B. Demonstrated understanding of fire and life safety standards, elimination of architectural barriers, code limitations, and OSHA requirements. 2
- C. Methodology for attaining maximum conservation of energy, materials, etc., while maintaining maximum results within restrictive budgets. 2
- D. Demonstrated capacity for excellence on the basis of major honors, awards, and recognition received. 3

-3-

PART IV. RELATED EXPERIENCE: This category will be used to evaluate the A & E's successful accomplishment of projects similar in nature. 30

A. Capability to successfully accomplish planning, design, inspection, and production of technical reports as demonstrated by relevant examples of previous work similar in nature and magnitude (either as a firm or through individual experience by proposed project team members). 15

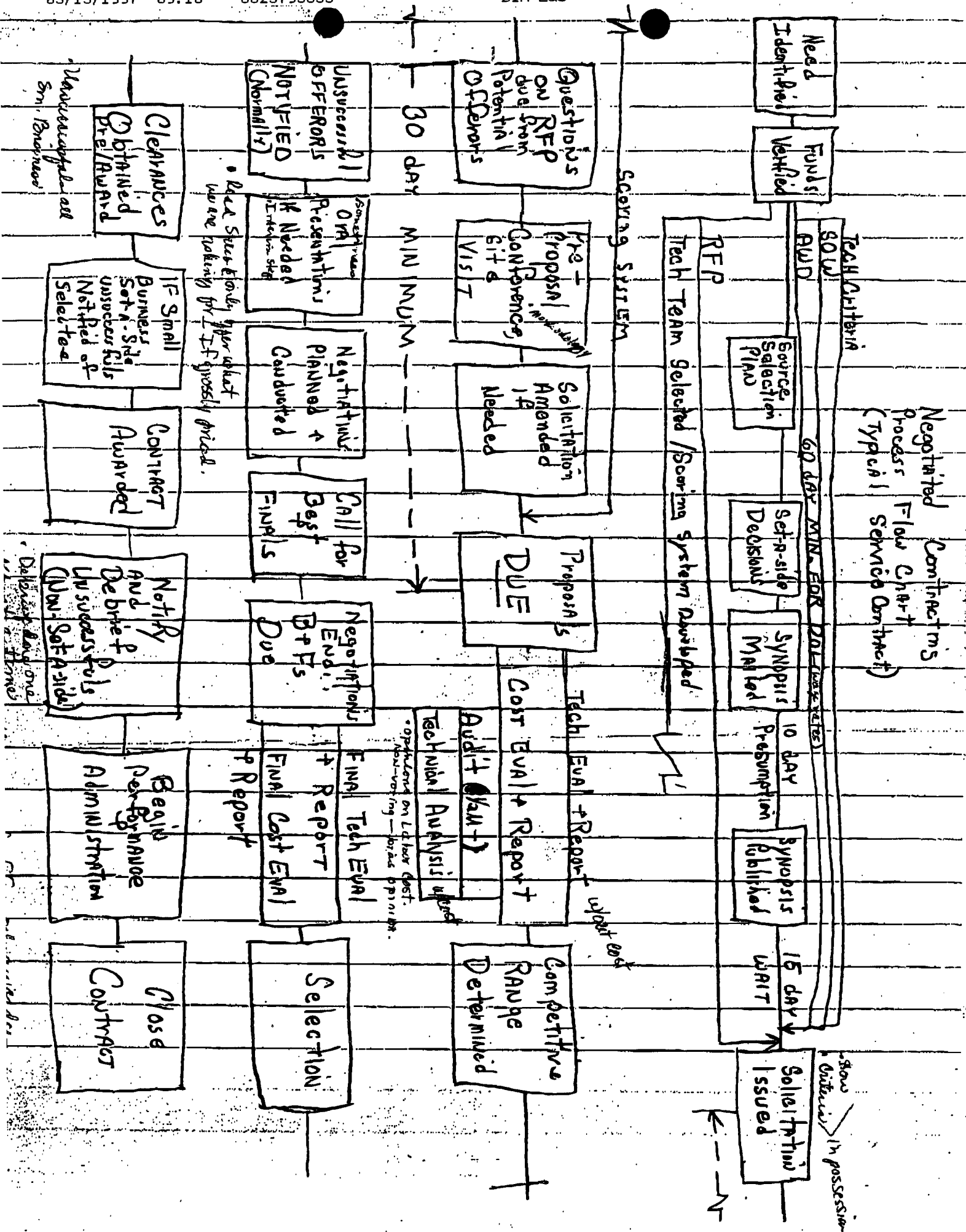
B. Based on project examples presented by the A-E firm(s), evaluate past performance in the following areas: 15

1. Conformance to program requirement and scope of services. 5

2. Adherence to budgets. 2

3. Delivery of submittals within schedules. 3

4. Preparation of complete, clear, and comprehensive reports requiring minimum review changes. 5



OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages > 11

| | |
|---------------------------------|---|
| To <i>Alisa Wang</i> | From <i>John Krause</i> |
| Dept./Agency <i>EPA (WTR-9)</i> | Phone # <i>Alisa - More neg. contract</i> |
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GENERAL SERVICES ADMINISTRATION

APPENDIX**PART B**

**GENERAL GUIDELINES FOR DEVELOPING
EVALUATION CRITERIA, RELATED RFP PROVISIONS,
AND SOURCE SELECTION PLANS**

THE NEED TO FURNISH EVALUATION CRITERIA

The program official is responsible for developing technical proposal evaluation criteria and submitting them as part of the purchase request. The Contracting Officer must have enough time to thoroughly review the criteria for adequacy and appropriateness before issuing an RFP.

Need to Furnish Evaluation Criteria

In order for a competitive purchase to be legally valid, the RFP must advise offerors of (1) all factors which will be used in evaluating proposals, (2) the relative importance of each technical factor, and (3) the importance of cost or price vis-a-vis technical merit. (The latter determination is usually made jointly by the Contracting Officer and the program official, based on such factors as the importance of exceptional quality or capability in meeting the requirement, the amount of funds available for the purchase and the type of contract anticipated.)

The technical evaluation factors set forth in the RFP inform prospective offerors of the significant matters which should be addressed in their proposals. Announcement of the criteria in the RFP promotes competition by letting prospective sources know what is expected, and it ensures fair play by giving all competitors the opportunity to compete on the same basis. At a later point, it enables the Agency to demonstrate to the public that an award decision was made impartially and reasonably, based on factors relevant to needs.

Basic Kinds of Criteria

① "Go-No-Go" Criteria

Often, an Agency needs an item that possesses a particular attribute—but only to a certain level or degree. For example, it may need an item that operates at speeds up to a given rate but have no need for speeds in excess of that rate. In such a case the criterion for contractor selection would be whether or not the offered item would meet the stipulated speed requirement. Clearly, an offeror proposing to deliver an item that will not operate as fast as required would not be selected for award. If, however, an item would meet the stated speed requirements, its offeror could be considered for award insofar as that criterion is concerned. Such a criterion is sometimes called a "go-no-go" criterion because it works to select by acceptance or rejection.

Cost must always
be considered
in award.

② "Variable" Criteria

In some instances, it is important to obtain not merely an adequately qualified contractor but the best qualified contractor. Again, it is sometimes important to obtain a product that will not merely meet certain "minimum" essential requirements (speed or operation, for example) but that operates with the highest degree reasonably attainable within the state of the art for the kind of equipment involved.

In such cases, selection of the most advantageous proposal is appropriately determined in part by evaluating the degree to which the needed characteristics are possessed by each offeror and offered product. The higher the degree, expressed in terms of an adjective (e.g., "excellent," "good") or numerical rating, the greater the indicated advantage to the Government. Evaluation criteria of this sort are referred to as "variable" or "scorable" criteria, as contrasted with go-no-go criteria.

Full in ZFP.
Criteria
Weights

Key Criteria

Cost-reimbursement type contracts

In the case of cost-reimbursement contracts, instead of promises of fixed prices, the agency is offered only estimates of cost, which are not binding. Use of cost-reimbursement contracts typically indicates that the costs incurred in performing the job the agency wants done cannot be predicted reliably. Hence, cost-based proposals offer a less useful indicator than do fixed-price proposals of an offer's overall value to the Government.

In recognition of this circumstance, FAR 15.605 expressly states that:

In awarding a cost-reimbursement contract, the cost proposal should not be controlling, since advance estimates of cost may not be valid indicators of final actual costs.

Technical proposal
will be interpreted
by agency in
Section L.

Therefore, it is not appropriate to approach selection by first looking at the proposal that offers the lowest estimated cost and then seeing if there is any other proposal that is worth paying a "premium" for because it offers sufficiently greater advantage with regard to other factors. The question is: Which proposal, considering both estimated costs and other factors, offers the greatest overall advantage to the Government? Ordinarily, it will not be appropriate to accord estimated cost greater importance than other factors, except where proposals received are of substantially equal merit in terms of criteria other than cost.

RFP PROVISIONS

RFP provisions relating to evaluation criteria fall into four main groups, which advise offerors of:

1. What criteria their proposals will be judged against to determine which proposal is most advantageous to the Government.
2. The relative importance of each variable criterion (other than cost/price) and the degree of importance that will be attached to cost/price in relation to other variable criteria as a group.
3. What information offerors must submit in order to permit proper evaluation of proposals against the criteria.
4. The form in which the elements of their proposals should be presented in order to assure orderly and objective analysis and evaluation.

Identifying the Criteria

In stating in a solicitation that price or cost will be a criterion for selection, little if any more must, ordinarily, be said. The price or cost of doing a job is a singular and definite concept, the meaning or intent of which is generally understood by offerors without further explanation. When it comes to criteria relating to technical merit, however, we are dealing with a much broader concept. These criteria may include a variety of factors bearing on the technical merits and qualifications of the offeror, and on how the offeror proposes to go about the job—that is, the "approach." They may also encompass a host of considerations bearing on the technical merits of what the offeror proposes to do or deliver.

As a basic rule, the solicitation (RFP) should be explicit enough to give offerors reasonable notice of what factors are actually going to make a difference in selecting the contractor for the particular job to be done.

Price or Cost as a Factor

FAR 15.605 states that the evaluation factors that apply to an acquisition and the relative importance of those factors are within the broad discretion of the agency acquisition officials. However, price or cost to the Government

shall be included as an evaluation factor in every source selection. While lower cost may be the deciding factor, in certain acquisitions the Government may select the source that offers the greatest value in terms of performance and other factors.

Providing Technical Proposal Instructions

If proposal evaluation is to be sound, evaluators must have on hand adequate, relevant information. Offerors should not be expected to guess what information is needed and wanted for evaluation. For each criterion and subcriterion that is called out in the RFP, the RFP should include a "call" for information from the offerors that will permit evaluators to make well-informed, sound judgments of the merit of what is proposed in terms of the announced criteria.

While contracting personnel are responsible for preparing the general instructions on how to prepare and submit proposals, program personnel are responsible for drafting specific instructions concerning each evaluation criterion which has been identified and for submitting those instructions as part of the purchase request.

THE SOURCE SELECTION PLAN

A source selection plan is a written plan that spells out how the process of contractor selection will be conducted, including details on how the Agency will evaluate the proposals for a particular contract. The objectives of this plan are to ensure:

- Evaluation on a uniform basis by all evaluators
- Objectivity
- Fairness

The plan has as its foundation the evaluation criteria that have been identified for use in the particular purchase. It should include the rationale for those criteria, the relative weights attached to the criteria, and the rationale for those weights. The plan should also reflect decisions as to "who will evaluate what," reflecting not only the contracting office-program office division of responsibility but also any division of the work of technical evaluation among separate technical subpanels or committees that are appropriate in view of the areas of technical expertise required. As is evident, these aspects of the plan must precede and guide the formulation of the RFP.

As a minimum, the plan should include:

- A description of the organization structure;
- Proposed presolicitation activities;

- A summary of the acquisition strategy;
- A statement of the proposed evaluation factors and their relative importance;
- A description of the evaluation process, techniques, and methodology to be used; and
- A schedule of significant milestones.

Source Selection Panel:

Technical Eval. Panel - min. 3 people

- Program Ofc. - Chairman
- 2-6 people Technical panel

Cost Eval. Team

- C. O.
- 2+ others Cost Eval. Team

• Read own Agency req. re: feeding information of C. O. to Technical Committee.

• Picking a winner is between the Tech. & Cost Eval. Team but C. O. has final say.

Guide the Team w/ specific info.:

1. Follow the Criteria (don't add or delete)
2. Set and follow a particular Scoring System.

Criteria - making sure you get the best contractors

Outstanding — 10
 Excellent — $8 \times 500 = 4000$
 Very good — 6
 Good — 5
 Fair — 4
 Poor — 2

- Don't have scores such as 8.3

- Handle it w/ simplicity & consistent

| FACTORS: | |
|----------|------------|
| I | 500 |
| II | 300 |
| III | 200 |
| | <hr/> 1000 |

3 - big Nos.
in the
100's,

Don't do!

| | |
|-----|----------|
| I | 25 |
| II | 15 |
| III | 10 |
| | <hr/> 50 |

Corporate Experience:

- Problem Recognition, Solution
- Organizational Plan
- Key Personnel
- Quality Assurance — Safety, Security (ADP),

Very Important!!

- No Pre determined (Can't say yes less than 70% will not be accepted)
 - Determined way of scores achieved
- Cut-off Scores (None)

*used based on
binding & judgment*

*numbering system
is not enough
and not
always
reliable.*

proposals, based on evaluation criteria formulated prior to the solicitation by the program official, and other personnel as necessary. Considering both technical and cost factors, the Contracting Officer will then make a reasoned judgment as to which proposal is, overall, most advantageous to the Agency and award the contract accordingly.

Guidelines

The program official is responsible for submitting, as part of the purchase request package:

- A statement listing specific evaluation criteria to be used in technical evaluation and indicating their relative weights
- Instructions for technical proposal preparation in relation to those criteria
- A source selection plan that spells out how the process of contractor selection will be conducted

General guidelines for the development of these items are presented in Appendix, Part B.

OTHER ELEMENTS

This subsection describes other items which should be included, whenever applicable, in the purchase request package.

Special Provisions

Depending on the nature of the requirement, the program official may choose to include suggested contract schedule articles or contract clauses in the purchase request--e.g., Key Personnel, Government Option to Extend, Dissemination of Information, and Nondisclosure of Information clauses. The Contracting Officer is responsible for reviewing these provisions, making necessary revisions to ensure that language is legally adequate and appropriate, and developing the other provisions that will be required.

Notice of Special Circumstances or Conditions

In addition to suggested special contract provisions, the purchase request may include a note alerting the Contracting Officer to any special circumstances or conditions pertaining to the purchase--e.g., contractor employee services that will be subject to requirements of the Service Contract Act.

EXHIBIT 3C-1

BASIC GUIDELINES: PURCHASE REQUEST PREPARATION

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- Make sure that actual needs are stated clearly, fully, and accurately. The more complete and precise the purchase request package, the greater the probability that the acquisition process will function responsively. A hastily constructed package that omits information or contains ambiguities will delay the contracting process. The Contracting Officer may have to return a deficient request for revisions, or for clarification or additional information, before initiating the purchase. Unremedied deficiencies could cause difficulties throughout the contracting process and during the life of the contract.
 - Make sure that the requirement is described in accordance with two basic precepts that govern Federal contracting:
 - Requests for purchase should set forth actual requirements—what it is necessary to have, not what it would be nice to have.
 - Requests—particularly the portions specifying requirements—should be designed to elicit both the widest possible extent of competition and the greatest effectiveness of competition. The description of the requirement should be definitive but not unduly restrictive. It should provide information that enables sources to compete knowledgeably and confidently, on an equal footing.
 - Tailor the purchase request to the requirement. A large or complex requirement will ordinarily involve greater detail than a limited or routine need.
 - Have the request prepared well in advance of the dates on which contract award and initiation of contract performance is required or desired.
 - Review the purchase request before submission to ensure that such details as the following have not been omitted:
 - Necessary signatures
 - Funding code or authorization
 - Cost estimate
 - Reference materials for use in solicitation document or proposal preparation
-

EXHIBIT 3C-2

CHECKLIST FOR DETERMINING WORK STATEMENT AND
PURCHASE REQUEST ADEQUACY

-
- SOW.
1. Is there a clear description of the supplies or services to be furnished?
 2. Have delivery or performance requirements been spelled out?
 3. Has the program official included technical evaluation criteria that are relevant and not restrictive of competition? Will the proposed plan for scoring proposals result in a fair evaluation?
 4. Has technical data that the contractor must include in his or her proposal been enumerated? Does that data correlate with the evaluation criteria?
 5. Will the contractor require access to a Government facility or use of Government-furnished property?
 6. Are any recommended special provisions or clauses recommended pertinent and reasonable?
 7. What sources have been recommended? Have previous acquisitions been made from any of the sources?
 - SOW 8. Have requirements and schedules for technical data reporting (e.g., technical progress report) been enumerated?
 9. Have all required reviews and approvals been obtained?
 10. Is there evidence of a proper commitment of funds, signed by the appropriate official?
 - SOW 11. Are Privacy Act requirements applicable?
 12. Have subcontracting opportunities for small and disadvantaged business been identified?
 13. Are adequate technical proposal instructions, for format and content, provided?
 - SOW 14. Regarding the specification or work statement:
 - a. Does the work statement contain only essentials (actual minimum requirements)? Have "nice to have" items been eliminated?

EXHIBIT 3C-2 (Continued)

- b. Has extraneous material been eliminated? (Ask the following questions to judge whether material should be included: Does it tell what the contractor is responsible for? Is it necessary in order to obtain required results?)
- c. Is background or other introductory information readily distinguishable from the contract objectives and requirements?
- d. Are directions readily distinguishable from general information?
- e. Is the work statement sufficiently detailed to permit the prospective contractor to estimate costs? To tabulate the labor and other resources needed to accomplish each task or phase of the work?
- f. Are specific duties and end results set forth in such a way that the contractor will know exactly what is required? that the agency representative who monitors performance and signs acceptance reports can tell whether the contractor has complied?
- g. Does the statement explain the interrelationship between tasks, and how tasks are related to desired results and deliverables?
- h. Does the statement identify constraints and limitations?
- i. Does the statement contain standards which will make it possible for all parties to measure performance?
- j. Is there a time-phased requirement for each activity to be completed or item to be delivered? If elapsed time is used, is it clear whether the time will be counted as calendar days or as work days?
- k. Have all requirements for data been specified?
- l. Are proper quantities shown?
- m. Do any standard specifications or paragraphs apply in whole or in part? If so, are they properly cited and referenced?
- n. When it is necessary to reference other documents, is the reference document properly described and properly cited? Has the document been carefully screened? Is all of it pertinent or should only portions be referenced? Is the material cross-referenced to the applicable part of the work statement?

EXHIBIT 3C-2 (Continued)

- o. Are reporting requirements (technical and progress/compliance) clear? Have timing, content, and level of detail been specified?**
 - p. If a competitively negotiated contract is planned, are the task descriptions an adequate frame of reference for the offerors' technical proposals? Is the work statement sufficiently detailed to permit equal understanding by all offerors?**
 - SOW 15. Does it require the contract^{or} to establish and maintain a Quality Control System?**
 - 16. Does it indicate whether or not Government property or material will be furnished?**
-